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Attorneys for Plaintiff/Judgment Creditor
Wynn Resorts Holding, LLC

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WYNN RESORTS HOLDINGS, LLC, a Nevada
Limited Liability Company,

Plaintiff,

v.

LORI TINGEY, an individual,

Defendant.

Case No. 2:05-cv-01458-LDG-RJJ

**AFFIDAVIT OF RENEWAL OF
JUDGMENT**

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

Plaintiff/Judgment Creditor WYNN RESORTS HOLDINGS, LLC, by and through Mary Ann Nicholson, its authorized representative, and pursuant to NRS 17.214, first being duly sworn according to law, hereby submits this Affidavit of Renewal of Judgment against Defendant/Judgment Debtor Lori Tingey ("Judgment Debtor").

1. I am the Director of Litigation and Claims Administration for Wynn Resorts Holdings, LLC, the Plaintiff/Judgment Creditor in the above-entitled action. I have personal knowledge of the facts contained in this affidavit and if called to do so, would testify competently thereto.

2. The Judgment was originally recorded in Clark County, Nevada on February 12, 2007, instrument number 200702120000545.

EXHIBIT A

EXHIBIT A

1 Mark G. Tratos (Bar No. 1086)
 Ronald D. Green Jr. (Bar No. 7360)
 2 Laraine M. I. Burrell (Bar No. 8771)
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8 **UNITED STATES DISTRICT COURT**
 9 **DISTRICT OF NEVADA**

10 Wynn Resorts Holdings, LLC, a Nevada
 Limited Liability Company,

11 Plaintiff,

12 v.

13 Lori Tingey, an individual,

14 Defendant.
 15

Case No. CV-S-05-1458-LDG-RJJ

DEFAULT JUDGMENT

17 Plaintiff Wynn Resorts Holdings, LLC, having filed a Motion for Entry of Default
 18 Judgment against Defendant Lori Tingey pursuant to Rule 55 of the Federal Rules of Civil
 19 Procedure; the Defendant having failed to respond to, or answer, Plaintiff's Complaint
 20 previously served upon Defendant; the Clerk of the Court having entered Default against
 21 Defendant on June 26, 2006; this Court having now given due consideration to Plaintiff's
 22 Motion for such judgment as well as papers, pleadings, and exhibits offered in support
 23 thereof; and the Court being further fully advised in the matter and there having been no
 24 appearance made by Defendant, it is therefore,

25 ORDERED, ADJUDGED and DECREED that Judgment be entered in favor of
 26 Plaintiff Wynn Resorts Holdings, LLC, and against Defendant Lori Tingey, on all counts of
 27 Plaintiff's Complaint; and, it is further ordered and adjudged that said Judgment shall
 28 include the following specific findings of fact and award of specific relief:

- 1 a. Plaintiff Wynn Resorts Holdings, LLC's Wynn marks are famous;
- 2 b. Defendant registered the Infringing Domain Name <wynnmacauresort.org>,
3 <wynnmacauresorts.org>, <wynnmacauresorts.com>,
4 <wynnconventions.com>, <wynnlasvegasencore.net>,
5 <wynnlasvegasencore.com>, <wynnmacauresort.info>,
6 <wynnmacauresorts.net>, <wynnmacauresorts.info>, <wynninvitational.com>,
7 <wynnlereve.com>, <wynnlvencore.net>, <wynnlvencore.com>,
8 <lvwynnhotel.com>, and <wynntickets.com>, <wynnluxurysuites.com> with
9 the bad faith intent to profit from its use of Plaintiff's marks;
- 10 c. Should Defendant's use of the term Wynn continue, Plaintiff will continue to
11 suffer irreparable injury to its good will and reputation which was established
12 through use of the Wynn marks and for which an award of damages would be
13 inadequate.
- 14 d. Should Defendant's use of the term Wynn continue, Plaintiff will continue to
15 suffer irreparable injury as the Wynn marks will lose their capacity to identify
16 its goods and services; i.e., they will be diluted, for which an award of
17 damages would be inadequate;
- 18 e. Defendant acted willfully in her cybersquatting of the Wynn marks; and
- 19 f. Defendant is liable for his/its infringement, dilution, unfair competition and
20 cybersquatting.

21 THEREFORE, IT IS HEREBY ORDERED that the Defendant Lori Tingey, her
22 respective officers, agents, servants, employees, and/or all persons acting in concert or
23 participation with it, (1) from using Plaintiff's trademarks or confusingly similar variations
24 thereof, alone or in combination with any other letters, words, letter strings, phrases or
25 designs, in commerce or in connection with any business or for any other purpose
26 (including, but not limited to, on web sites and in domain names); and (2) from registering,
27 owning, leasing, selling or trafficking in any domain name containing Plaintiff's trademarks
28 or confusingly similar variations thereof, alone or in combination with any other letters,

1 words, phrases or designs;

2 IT IS FURTHER ORDERED that the current registrar of the
 3 <wynnmacauresort.org>, <wynnmacauresorts.org>, <wynnmacauresorts.com>,
 4 <wynnconventions.com>, <wynnlasvegasencore.net>, <wynnlasvegasencore.com>,
 5 <wynnmacauresort.info>, <wynnmacauresorts.net>, <wynnmacauresorts.info>,
 6 <wynnininvitational.com>, <wynnlereve.com>, <wynnlvencore.net>, <wynnlvencore.com>,
 7 <lvwynnhotel.com>, and <wynntickets.com>, <wynnluxurysuites.com> domain names shall
 8 immediately unlock and permanently transfer them to Plaintiff;

9 IT IS FURTHER ORDERED that Defendant pay Plaintiff \$1,000 in nominal damages
 10 for corrective advertising;

11 IT IS FURTHER ORDERED that Defendant pay Plaintiff statutory damages of
 12 \$100,000;

13 IT IS FURTHER ORDERED that Defendant pay Plaintiff's attorneys' fees and costs
 14 in the amount of \$8,164.20;

15 IT IS FURTHER ORDERED that Plaintiff's cash deposit of Sixteen Hundred Dollars
 16 (\$1,600.00) be released from the Registry Account of this Court and returned to Greenberg
 17 Traurig.

18 IT IS FURTHER ORDERED that jurisdiction of this case shall be retained by this
 19 Court for the purpose of enforcement of this Judgment.

20 
 21 UNITED STATES DISTRICT JUDGE

22 DATED: 25 January 2007

23 Submitted by: 

24 GREENBERG TRAUIG, LLP

25 Mark G. Tratos (Bar No. 1086)
 26 Ronald D. Green Jr. (Bar No. 7360)
 27 Laraine M. I. Burrell (Bar No. 8771)
 28 Andrew D. Sedlock (Bar No. 9183)
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